

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

3G-2

AGENDA ITEM SUMMARY

Meeting Date: June 13, 2023

Consent       Regular  
 Workshop       Public Hearing

Department: Office of Financial Management and Budget

I. EXECUTIVE BRIEF

**Motion and Title: Staff recommends motion to approve:** a negotiated settlement offer in the amount of \$125,044 for the full satisfaction of a code enforcement lien entered against Leonidas Alfaro on September 18, 2019.

**Summary:** The Code Enforcement Special Magistrate (CESM) entered an order on March 12, 2018, which was amended on January 21, 2019 to provide an extension of time for compliance, for the property owned by Mr. Leonidas Alfaro, giving him until July 15, 2019 to bring his property located at 7030 Belvedere Rd, West Palm Beach, Florida into full code compliance. The property was cited for land use violations and construction without a building permit. Compliance with the CESM's order was not achieved, and a fine of \$250 per day was imposed. The CESM entered an order imposing a code lien against Leonidas Alfaro on September 18, 2019. The Code Enforcement Division (Code Enforcement) issued an affidavit of compliance for the property on January 5, 2023. The total fine on March 31, 2023 was \$312,609.82, the date on which settlement discussions began. Mr. Alfaro has agreed to pay Palm Beach County \$125,044 (40%) for full settlement of the outstanding code enforcement lien.

Mr. Alfaro has listed the property for sale, and staff from the County's Facilities Development & Operations (FDO) is in the process of negotiating the acquisition of the property. To provide a clear title to FDO, Mr. Alfaro's attorney contacted Collections on March 31, 2023 to negotiate a lien settlement. The cited violation did not involve any life or safety issues, and it is a non-homestead property. District 2 (SF)

**Background and Justification:** The property was cited for fences and several miscellaneous structures constructed without permits, parking and storage in the setbacks, and outdoor storage of miscellaneous debris. The first hearing took place on March 7, 2018, and Mr. Alfaro was given until September 3, 2018 to correct the violations. He corrected some of the violations and requested another hearing. During the second hearing on January 16, 2019, the CESM gave him an additional 180 days to bring the property into compliance (until July 15, 2019) before a fine of \$250.00 per day would begin to accrue. A follow-up inspection by Code Enforcement on July 16, 2019 confirmed that the property was still not in compliance. An order imposing a code lien was entered on September 18, 2019 and was recorded on October 1, 2019.

Settlement offers that reduce any debt amount due to Palm Beach County by more than \$2,500 require the approval of Board, per Countywide PPM# CW-F-048.

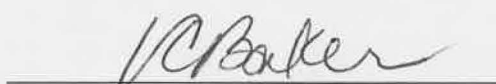
Attachments: none

Recommended by:

  
Department Director

5/17/2023  
Date

Approved by:

  
County Administrator

5/22/23  
Date

**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2023	2024	2025	2026	2027
Capital Expenditures					
Operating Costs					
External Revenues	(125,044)				
Program Income(County)					
In-Kind Match(County)					
NET FISCAL IMPACT	(125,044)				
#ADDITIONAL FTE POSITIONS (CUMULATIVE)					

Is Item Included In Current Budget?                      Yes  No   
 Does this item include the use of federal funds?      Yes  No

**Budget Account No.:** Fund 0001 Department 600 Unit 6241 Object 5900

**B. Recommended Sources of Funds/Summary of Fiscal Impact:**

**C. Departmental Fiscal Review:**

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**III. REVIEW COMMENTS**

**A. OFMB Fiscal and/or Contract Dev. and Control Comments:**

*Sup Math 5/17/2023*  
*5/15/23 OFMB QA 5/16*  
*MG 5/17*  
*MG 5/15/23*

\_\_\_\_\_  
 N/A  
 Contract Dev. and Control

**B. Legal Sufficiency:**

*[Signature]*  
 \_\_\_\_\_  
 Assistant County Attorney

**C. Other Department Review:**

\_\_\_\_\_  
 N/A  
 Department Director